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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 **JOSHUA JAMES LINDSEY,**)
12 **Petitioner,**)
13 **v.**)
14 **DAVE DAVEY, WARDEN,**)
15 **Respondent.**)
16

NO. EDCV 17-00956-VBF (GJS)
[Consolidated with No. EDCV 17-00975-VBF
(GJS)]

ORDER ACCEPTING FINDINGS AND
RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of Habeas Corpus [Dkt.
18 1, "Petition"], all other documents filed in this action, and the Report and Recommendation of United States
19 Magistrate Judge [Dkt. 14, "Report"]. The time for filing Objections to the Report has passed and no
20 Objections have been filed with the Court.

21 The Court accepts the findings and recommendations set forth in the Report. Accordingly, IT IS
22 ORDERED that: (1) Respondent's Motion to Dismiss the Petition [Dkt. 9] is GRANTED; (2) the Petition
23 and the habeas petition filed in consolidated Case No. EDCV 17-00975-VBF (GJS) are dismissed as
24 untimely; and (3) Judgment shall be entered dismissing this action, as well as EDCV 17-00975-VBF (GJS),
25 with prejudice.

26 **LET JUDGMENT BE ENTERED ACCORDINGLY.**

27 DATED: November 8, 2017
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VALERIE BAKER FAIRBANK
UNITED STATES DISTRICT JUDGE